

**CROCKETT & ASSOCIATES**

Robert D. Crockett (*pro hac vice*)  
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(323) 487-1101

*Attorneys for Plaintiffs/Counterclaim Defendants NXIVM Corporation and First Principles, Inc.; and Cross-claim Defendant Nancy Salzman*

**TOMPKINS, McGUIRE, WACHENFELD & BARRY LLP**

Brian M. English  
3 Becker Farm Road, 4th Floor  
Roseland, New Jersey 07068  
(973) 622-3000

*Attorneys for Plaintiffs/Counterclaim Defendants NXIVM Corporation and First Principles, Inc.; and Cross-claim Defendant Nancy Salzman*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

NXIVM CORPORATION,  
(formerly known as EXECUTIVE  
SUCCESS PROGRAMS, INC.) and  
FIRST PRINCIPLES, INC.,

Plaintiffs,

v.

MORRIS SUTTON, ROCHELLE  
SUTTON, THE ROSS INSTITUTE,  
RICK ROSS (a/k/a “RICKY”  
ROSS), STEPHANIE FRANCO,  
PAUL MARTIN, Ph.D., AND  
WELLSPRING RETREAT, INC.,

Defendants.

RICK ROSS,

Counterclaim-Plaintiff,

Civil Action No.: 06-cv-1051  
(KSH/CLW)

**NOTICE OF MOTION TO  
WITHDRAW AS COUNSEL**

-against-

KEITH RANIERE, NANCY  
SALZMAN, KRISTIN KEEFFE,  
INTERFOR, INC., JUVAL AVIV,  
JANE DOE, AND JOHN DOES 1-  
10,

Counterclaim-  
Defendants.

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INTERFOR, INC. and JUVAL  
AVIV,

Crossclaimants,

v.

NXIVM CORPORATION, KEITH  
RANIERE, NANCY SALZMAN  
and KRISTIN KEEFFE,

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Crossclaim-Defendants.

TO:

Nancy Salzman  
c/o  
Robert Soloway, Esq.  
Rothman Schneider Soloway & Stern  
P.C.  
100 Lafayette Street, Suite 501  
New York, NY 10013

Anthony J. Sylvester, Esq.  
SHERMAN WELLS SYLVESTER &  
STAMELMAN LLP  
210 Park Avenue, 2<sup>nd</sup> Floor  
Florham Park, NJ 07932

*Attorneys for Defendants the Estate of  
Morris Sutton, Rochelle Sutton, and  
Stephanie Franco*

Robert J. Lack  
FRIEDMAN KAPLAN SEILER &  
ADELMAN LLP  
One Gateway Center, 25<sup>th</sup> Floor  
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(973) 877-6400

*Attorneys for Cross-Claimants Interfor,  
Inc. and Juval Aviv*

NXIVM Corp.  
5 Southside Drive, Unit 11  
Clifton Park, NY 12065

Matthew J. Fedor, Esq.  
DRINKER BIDDLE & REATH LLP  
500 Campus Drive  
Florham Park, NJ 07932-1047

*Attorneys for Cross-Defendant Keith  
Raniere*

**PLEASE TAKE NOTICE** that on October 7, 2019, at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiffs/ Counterclaim Defendants NXIVM Corporation, f/k/a Executive Success Programs,

Inc., and First Principles, Inc. (collectively “NXIVM”) and Cross-Claim Defendant Nancy Salzman shall move before the Honorable Katherine S. Hayden, U.S.D.J., seeking an Order permitting Crockett & Associates to withdraw as counsel for NXIVM and Ms. Salzman. This motion is based on lack of direction on how to proceed from either NXIVM or Ms. Salzman.

**PLEASE TAKE FURTHER NOTICE** that in support of this Motion, Crockett & Associates will rely on the Declarations of Robert D. Crockett and Chase T. Tajima submitted herewith. A proposed form of Order is also enclosed.

No oral argument is requested by Crockett & Associates. If oral argument is requested by any other party, Crockett & Associates requests permission to appear via telephone.

September 12, 2019

Respectfully submitted,



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Robert D. Crockett

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/s/ Brian M. English  
Brian M. English

**CROCKETT & ASSOCIATES**

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

NXIVM CORPORATION,  
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v.

MORRIS SUTTON, ROCHELLE  
SUTTON, THE ROSS INSTITUTE,  
RICK ROSS (a/k/a “RICKY”  
ROSS), STEPHANIE FRANCO,  
PAUL MARTIN, Ph.D., AND  
WELLSPRING RETREAT, INC.,

Defendants.

RICK ROSS,

Counterclaim-Plaintiff,

Civil Action No.: 06-cv-1051  
(KSH/CLW)

**DECLARATION OF ROBERT  
D. CROCKETT IN SUPPORT  
OF MOTION TO WITHDRAW  
AS COUNSEL**

-against-

KEITH RANIERE, NANCY  
SALZMAN, KRISTIN KEEFFE,  
INTERFOR, INC., JUVAL AVIV,  
JANE DOE, AND JOHN DOES 1-  
10,

Counterclaim-  
Defendants.

INTERFOR, INC. and JUVAL  
AVIV,

Crossclaimants,

v.

NXIVM CORPORATION, KEITH  
RANIERE, NANCY SALZMAN  
and KRISTIN KEEFFE,

Crossclaim-Defendants.

I, Robert D. Crockett, declare as follows:

1. I am the owner and principal of the law firm Crockett & Associates (“Crockett Firm”), attorneys in this matter for Plaintiffs NXIVM Corporation and First Principles, Inc. and Cross-claim Defendant Nancy Salzman, President of NXIVM. I have personal knowledge of all matters referenced herein. I submit this declaration in support of Crockett & Associates’ motion seeking to withdraw as counsel for NXIVM, First Principles, Inc., and Ms. Salzman.

2. Between the time of the Interfor bench trial against NXIVM on June

19-20, 2017 and the present, the Crockett Firm never received notice of discharge by NXIVM, First Principles, Inc., or Ms. Salzman, and thus had no reason to move to withdraw previously.

3. On August 26, 2019, this Court issued an order instructing Interfor counsel to make an additional submission to the Court with regard to attorneys' fees incurred at trial and prejudgment interest, with the Interfor submission due September 24, 2019, and any response by NXIVM due October 15, 2019. (Dkt. No. 842.)

4. I instructed Chase Tajima, an associate at my firm, to attempt to contact NXIVM representatives and Ms. Salzman for instructions, guidance, or direction on how to proceed in responding to the Court's August 26, 2019 order. The Crockett Firm has received no instructions from any representative of NXIVM or Ms. Salzman indicating how we should proceed. The Crockett Firm does not expect to receive any instructions or direction because, as noted by this Court, "NXIVM is no longer in operation." Crockett & Associates therefore makes this Motion to Withdraw based on lack of direction or guidance from its clients.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed in Valencia, California on September 12, 2019.



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Robert D. Crockett

**CROCKETT & ASSOCIATES**

Robert D. Crockett (*pro hac vice*)  
23929 Valencia Boulevard, No. 303  
Valencia, California 91355  
(323) 487-1101

*Attorneys for Plaintiffs/Counterclaim Defendants NXIVM Corporation and First Principles, Inc.; and Cross-claim Defendant Nancy Salzman*

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*Attorneys for Plaintiffs/Counterclaim Defendants NXIVM Corporation and First Principles, Inc.; and Cross-claim Defendant Nancy Salzman*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

NXIVM CORPORATION,  
(formerly known as EXECUTIVE  
SUCCESS PROGRAMS, INC.) and  
FIRST PRINCIPLES, INC.,

Plaintiffs,

v.

MORRIS SUTTON, ROCHELLE  
SUTTON, THE ROSS INSTITUTE,  
RICK ROSS (a/k/a "RICKY"  
ROSS), STEPHANIE FRANCO,  
PAUL MARTIN, Ph.D., AND  
WELLSPRING RETREAT, INC.,

Defendants.

RICK ROSS,

Counterclaim-Plaintiff,

Civil Action No.: 06-cv-1051  
(KSH/CLW)

**DECLARATION OF CHASE T.  
TAJIMA IN SUPPORT OF  
MOTION TO WITHDRAW AS  
COUNSEL**

-against-

KEITH RANIERE, NANCY SALZMAN, KRISTIN KEEFFE, INTERFOR, INC., JUVAL AVIV, JANE DOE, AND JOHN DOES 1-10,

Counterclaim-  
Defendants.

INTERFOR, INC. and JUVAL AVIV,

Crossclaimants,

v.

NXIVM CORPORATION, KEITH RANIERE, NANCY SALZMAN and KRISTIN KEEFFE,

Crossclaim-Defendants.

I, Chase T. Tajima, declare as follows:

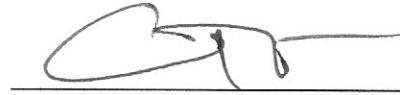
1. I am an associate of the law firm Crockett & Associates (“Crockett Firm”), attorneys in this matter for Plaintiffs NXIVM Corporation and First Principles, Inc. and Cross-claim Defendant Nancy Salzman, President of NXIVM. I have personal knowledge of all matters referenced herein. I submit this declaration in support of Crockett & Associates’ motion seeking to withdraw as counsel for NXIVM, First Principles, Inc., and Ms. Salzman.

2. On August 26, 2019, this Court issued an order instructing Interfor

counsel to make an additional submission to the Court with regard to attorneys' fees incurred at trial and prejudgment interest, with the Interfor submission due September 24, 2019, and any response by NXIVM due October 15, 2019. (Dkt. No. 842.)

3. On August 26 and 30, 2019, I attempted to contact the Crockett Firm's long-time contacts at NXIVM and First Principles, Inc., as well as Ms. Salzman, asking for guidance, direction, and instructions on how to respond to this Court's August 26, 2019 Order. On August 30, 2019, one NXIVM contact informed me that she was no longer involved with NXIVM nor any of the decision making and would not be providing any guidance, direction, or instructions on how to respond to the Order. I have never heard back from Ms. Salzman.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed in Valencia, California on September 12, 2019.



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Chase T. Tajima

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

CIVIL ACTION NO. 06-01051 (KSH/CLW)

NXIVM CORPORATION, (formerly known as  
EXECUTIVE SUCCESS PROGRAMS, INC.)  
and FIRST PRINCIPLES, INC.,

Plaintiffs,

v.

MORRIS SUTTON, ROCHELLE SUTTON,  
THE ROSS INSTITUTE, RICK ROSS (a/k/a  
“RICKY” ROSS), STEPHANIE FRANCO,  
PAUL MARTIN, Ph.D., AND WELLSPRING  
RETREAT, INC.,

Defendants.

RICK ROSS,

Counterclaim-Plaintiff,

-against-

KEITH RANIERE, NANCY SALZMAN,  
KRISTIN KEEFFE, INTERFOR, INC.,  
JUVAL AVIV, JANE DOE, AND JOHN  
DOES 1-10,

Counterclaim-Defendants.

INTERFOR, INC. and JUVAL AVIV,

Crossclaimants,

v.

NXIVM CORPORATION, KEITH RANIERE,  
NANCY SALZMAN and KRISTIN KEEFFE,  
Crossclaim Defendants.

**ORDER GRANTING MOTION  
TO WITHDRAW AS COUNSEL**

**THIS MATTER** having been opened by way of motion to the Court by Crockett & Associates, attorneys *pro hac vice* for Plaintiffs/Counterclaim Defendants NXIVM Corporation, f/k/a Executive Success Programs, Inc., and First Principles, Inc. (collectively “NXIVM”), and Cross-Claim Defendant Nancy Salzman, seeking an order permitting Crockett & Associates to withdraw as counsel for NXIVM and Ms. Salzman; and the Court having considered the supporting papers, and any opposition thereto, and for good cause shown;

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2019;

**ORDERED** that Crockett & Associates’ motion to withdraw as counsel for NXIVM Corporation, First Principles, Inc., and Nancy Salzman is hereby  
**GRANTED.**

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**Hon. Katharine S. Hayden, U.S.D.J.**

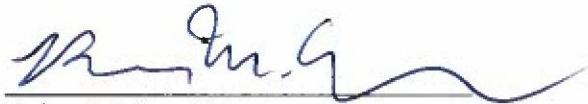
4824-0871-0053, v. 1

**CERTIFICATE OF SERVICE**

I certify that on September 13, 2019, I filed the following documents with the Clerk of the United States District Court for the District of New Jersey:

- (1) Notice of Motion Seeking Order Permitting Crockett & Associates to Withdraw as Counsel for NXIVM Corporation, First Principles, Inc., and Nancy Salzman;
- (2) Declaration of Robert D. Crockett in Support of Motion;
- (3) Declaration of Chase T. Tajima in Support of Motion; and
- (4) a proposed form of Order.

I also certify that on September 13, 2019, I served copies of the above-referenced motion papers on: (1) all counsel of record by CM/ECF; (2) current counsel for Nancy Salzman by Email; and (3) NXIVM Corporation and First Principles by Regular Mail.



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